

**Amend Ins 1302.04 (a) – (c), effective 8-1-15 (Document #10862), cited and to read as follows:**Ins 1302.04 Educational Requirements for Insurance Claims Adjusters and Public Adjusters.

(a) Every insurance claims adjuster seeking renewal of a license shall during, the preceding 24 months, satisfactorily complete courses or programs of instruction or attend seminars equivalent to ~~[20]~~**24** continuing education hours of instruction, ***including a minimum of 3 hours of ethics***, that have been approved by the commissioner.

(b) For insurance claims adjusters adjusting workers' compensation claims, of the ~~[20]~~**24** hours required in (a) above, 10 hours shall inform the licensee of the current workers' compensation laws of this state, ***3 hours of ethics***, and ~~[10]~~**the remaining** hours shall be in any other preapproved multi-line claims adjusters course of instruction.

(c) Every public adjuster seeking renewal of a license shall during the preceding 24 months satisfactorily complete courses or programs of instruction or attend seminars equivalent to 15 continuing education hours of instruction, ***including 3 hours of ethics***, that have been approved by the commissioner.

**Amend Ins 1303.02, effective 8-1-15 (Document #10862), by inserting new paragraph (g) to read as follows:**Ins 1303.02 Continuing Education Advisory Councils.

***(g) For each council, three members shall constitute a quorum for the purposes of conducting meetings and making recommendations to the commissioner.***

**Adopt Ins 1305 to read as follows:**

## PART Ins 1305 WAIVER OF RULES

Ins 1305.01 Waiver of Rules.

(a) The commissioner, upon the commissioner's own initiative or upon request by an insurer, shall waive any requirement of this part if such waiver does not contradict the objective or intent of the rule and:

- (1) Applying the rule provision would cause confusion or would be misleading to consumers;
  - (2) The rule provision is in whole or in part inapplicable to the given circumstances;
  - (3) There are specific circumstances unique to the situation such that strict compliance with the rule would be onerous without promoting the objective or intent of the rule provision; or
  - (4) Any other similar extenuating circumstances exist such that application of an alternative standard or procedure better promotes the objective or intent of the rule provision.
- (b) No requirement prescribed by statute shall be waived unless expressly authorized by law.
- (c) Any person or entity seeking a waiver shall make a request in writing.
- (d) A request for a waiver shall specify the basis for the waiver and proposed alternative, if any.

**APPENDIX A**

<b>Rule</b>	<b>Specific State Statute the Rule Implements</b>
Ins 1302.04	RSA 400-A:15, I; RSA 402-B:5-a.; [ <del>RSA 402-D:4 a.;</del> ] RSA 402-D:12
Ins 1303.02	RSA 400-A:15, I; RSA 400-A:11; RSA 402-J:16 II
Ins 1304.03	RSA 400-A;15, I; RSA 402-J:16; RSA 402-J:18; <b><i>70 FR 52117</i></b>
Ins 1305.01	RSA 400-A;15, I; RSA 541-A:22, IV